

ASSEMBLY BILL

No. 2627

Introduced by Assembly Member Nielsen

February 19, 2010

An act to add Chapter 11.7 (commencing with Section 21900) to Division 8 of the Business and Professions Code, relating to business.

LEGISLATIVE COUNSEL'S DIGEST

AB 2627, as introduced, Nielsen. Businesses: services for minors.

Existing law prohibits a person who is required to register as a sex offender because of a conviction for a crime where the victim was a minor under 16 years of age from being an employer, employee, independent contractor, or volunteer with any person, group, or organization in a capacity where the person would be directly working, and in an unaccompanied setting, with minor children on more than an incidental and occasional basis or have supervision or disciplinary power over minor children.

This bill would require any person, entity, group, or organization, whether operating as a nonprofit or for-profit business, to require any person hired as an employee, independent contractor, or volunteer to work directly and in an unaccompanied setting with minor children to go through a criminal background check, including being fingerprinted. The bill would prohibit a person, entity, group, or organization from hiring any person to work directly and in an unaccompanied setting with minor children if that person is required to register as a sex offender for a crime where the victim was a minor. A violation of that prohibition would be punishable by a civil fine of up to \$10,000. Moneys from those fines would be placed in the Safe Sports Fund, which the bill would create, and would be available, upon appropriation, to compensate

victims of sexual offenses who were minors at the time of the offense, and their families.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Chapter 11.7 (commencing with Section 21900)
2 is added to Division 8 of the Business and Professions Code, to
3 read:

4
5 CHAPTER 11.7. BUSINESSES THAT PROVIDE SERVICES TO
6 MINORS
7

8 21900. (a) Any person, entity, group, or organization, whether
9 operating as a nonprofit or for-profit business, shall require any
10 person hired as an employee, independent contractor, or volunteer
11 to work directly and in an unaccompanied setting with minor
12 children to go through a criminal background check, including
13 being fingerprinted.

14 (b) No person, entity, group, or organization shall hire any
15 person to work directly and in an unaccompanied setting with
16 minor children if that person is required to register pursuant to the
17 Sex Offender Registration Act because of a conviction for a crime
18 where the victim was a minor. A violation of this section shall be
19 punished by a civil fine of up to ten thousand dollars (\$10,000).

20 (c) Moneys collected pursuant to this section shall be deposited
21 in the Safe Sports Fund, which is hereby created in the State
22 Treasury. Moneys in that fund shall be available, upon
23 appropriation, to compensate victims of sexual offenses who were
24 minors at the time of the offense, and their families.